

From: [Meyer, John](#)
To: [Tzhone, Stephen](#); [Moran, Gloria](#)
Subject: FW: Whew! Arkwood lands, and who controls what...
Date: Monday, April 28, 2014 7:47:04 AM

I don't know the history of this, so let me know what the impact is. Thanks.

From: CC Grisham [mailto:grish@me.com]
Sent: Friday, April 25, 2014 11:19 AM
To: Meyer, John
Cc: Charles Curtis Grisham Jr.
Subject: Fwd: Whew! Arkwood lands, and who controls what...

John, don't bother with this until Monday; I just didn't want to forget it.

The forwarded message is one of several examples I have of Jean Mesher/ McKesson Corporation claiming that activity on adjacent lands (which were never contaminated and never subject to the Superfund action) would be adverse to the remedy in place, which Mescher cites ("**Each time the request was denied due to the potential impact to our system**") for McKesson's denying "permission" for my father to harvest timber from those adjacent, unaffected lands, threatening my family (including me) with action if he did so, resulting in an unwarranted deprivation and harm to the land owner.

Select quote from Mescher's below to me:

"If you choose to use the hillside in a way that causes ineffective operation of our treatment system resulting in a release of untreated water, we would hold you accountable for the impacts."

Therefore, I have concerns (that I expressed to my Dad today) regarding Part 11-iv: "No activities that will affect the integrity of any current or future remedial or monitoring system such as ground water monitoring wells and/or impermeable reactive barriers."

Also for example: Jean Mescher of McKesson came up with and advanced to EPA and ADEQ the proposal for onsite "pilot injection study" in order (I believe) to increase her leverage over the owner by having another "remedy" element (one that was not required, requested or even contemplated by either EPA or ADEQ, but one that was Mescher's own bright idea, which the overly-accomodating, then-RPM Shawn Ghose was only too happy to agree to, (like everything else she wanted him to do, including Ghose's letting her author surreptitiously the Third Five-Year Review Report, which excluded formal public and ADEQ commentary.)

I believe that "pilot injection study" has now been shown to have been unprofessionally specified, improperly operated, completely ineffective (even according to Mescher's own admission in writing, as I have pointed out in the past in writing to EPA) and in fact possibly damaging to the land by its longstanding application of pressurized water to underground geological structures while no monitoring of the effects on the geology were ever conducted.

I believe that **onsite** injection (now discontinued at my request, hopefully never to be restarted without valid scientific support) was concocted by Mescher specifically to give Mescher/ McKesson more onsite leverage and control in order to further intimidate and

threaten my family and prevent owner access to the property, since their only actual functioning installation at that time was **offsite** at the mouth of the New Cricket Spring, where the water treatment plant is and which is not on the subject property encompassed by this IC.

Thanks,
Curt

Begin forwarded message:

From: Mescher, Jean <Jean.Mescher@McKesson.com>
Subject: RE: Whew! Arkwood lands, and who controls what...
Date: December 12, 2005 at 12:57:41 PM PST
To: curt
Cc: jhollander@sfirelaw.com; Vines, Jeffrey

Curt,

The hillside was not included in the official "Arkwood, Inc. Site" for purposes of the USEPA agreement because that definition of site is defined by the extent of the contamination. My understanding is that use of the hillside was restricted due to the impact the erosion would cause to the water treatment system. I would have to go to our law department to get the documentation for restriction but I have seen copies of letters from Dinah Szander and Ivan Meyerson responding to your dad's requests over the past 10-15 years. Each time the request was denied due to the potential impact to our system. If you choose to use the hillside in a way that causes ineffective operation of our treatment system resulting in a release of untreated water, we would hold you accountable for the impacts. For the main site, we will at some point get agency approval that our remediation is complete. This does not indicate that the property can be used. It simply means that the cap we installed has eliminated the exposure pathways and therefore, there is no additional active remediation to be conducted.

I'm discouraged at the turn your correspondence has taken. I remain convinced that the \$100,000 offer for the 85.38 acres is more than generous. If this is not acceptable to you, then I agree that our negotiations are over.

Jean